

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

NICOLE and BLAINE DEMONT on behalf of their minor daughter, J.D.)	
)	
)	
Plaintiffs)	
)	
v.)	Case No.
)	
)	
RSU #34)	
)	
)	
Defendant)	

NOTICE OF REMOVAL

Defendant, RSU #34 hereby gives notice of removal of the above-captioned matter from Maine Superior Court, Penobscot County, pursuant to 28 U.S.C. § 1331, 1441 and 1446. As grounds for removal, the Defendants state as follows:

1. Plaintiffs filed their complaint in the Penobscot County Superior Court on or about June 25, 2012.
2. The Complaint asserts claims against Defendant under 29 U.S.C. §794 and 42 U.S.C. §12132.
3. This Court has original jurisdiction over this action under the provisions of 28 U.S.C. § 1331 because Plaintiff have asserted a claim arising under a law of the United States, 29 U.S.C. §794 and 42 U.S.C. §12132.
4. This action, including the pendent state law claims, may therefore be removed pursuant to 28 U.S.C. § 1441.
5. In accordance with 28 U.S.C. § 1446(d), the Defendant is filing a copy of this notice of removal with the Maine Superior Court, Penobscot County and is sending a copy to Plaintiffs' counsel.

6. A true copy of the complaint is attached to the accompanying affidavit of Melissa A. Hewey.

Dated: July 9, 2012

/s/Melissa A. Hewey
Melissa A. Hewey, Bar No. 3587
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